

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO ex rel.,  
State Engineer,

Plaintiff,  
-vs-  
No. 69cv07941-BB-ACE  
ROMAN ARAGON, et al.,  
RIO CHAMA STREAM SYSTEM  
Section 7

Defendants.

CLAIM OF WATER RIGHTS

Kenneth E. Luhcs, heretofore joined as an "unknown claimant of interest in the waters of the Rio Chama" herewith claims the following water rights:

SOURCE OF WATER: Rio Chama, a tributary of the Rio Grande

POINT OF DIVERSION: Willow Creek Mesa Ditch diversion,  
located where X = 1,548,909 feet, Y =  
2,103,084 feet, New Mexico State Plane  
Coordinate System, Central Zone, NAD  
1983

PURPOSE OF USE: Irrigation

PRIORITY: Unknown

AMOUNT OF IRRIGATED  
ACREAGE: Approximately 0.5 acres within tract  
CHRU 004-0044A, Rio Chama Hydrographic  
Survey Rutherford & Plaza Blanca Section.  
This claim is intended to be for all of  
that part of CHRU 004-0044A lying to the  
South of the centerline of that certain  
roadway within Fort Heron Preserve  
subdivision known as "Fort Heron Loop",  
and within Lot E of Fort Heron Preserve  
Subdivision, which is more particularly  
shown on the plat thereof filed in the  
Office of the County Clerk of Rio Arriba  
County, New Mexico, at Book O-213, Page  
3320. The irrigated acreage is subject  
to adjustment based on an accurate  
survey allocating the acreage in tract

CHRU 004-0044A between Lots B, C, D, E, and F of Fort Heron Preserve Subdivision. All of the 7.3 irrigated acres of tract CHRU 004-0044A lies within Lots B, C, D, E, and F of that subdivision.

AMOUNT OF WATER: Consumptive Use of .88 acre feet per acre per year; Farm headgate delivery amount: unknown; Diversion amount: unknown.

WHEREFORE, Kenneth E. Luhcs requests the adjudication to him of the foregoing water right, and that he have such other and further relief to which he is entitled.

PETER B. SHOENFELD, P.A.  
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By: \_\_\_\_\_  
Attorney for Mr. Luhcs

CERTIFICATE OF SERVICE

On this July 15, 2004, I mailed a copy of the foregoing to Ed Newville, Special Assistant Attorney General, at New Mexico State Engineer Office, P.O. Box 25102, Santa Fe, New Mexico 87504-5102.

